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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/599,272

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

KING, JOHN B

ART UNIT

PAPER NUMBER

2435

MAIL DATE

DELIVERY MODE

08/26/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/599,272	Applicant(s) LENOIR ET AL.	
	Examiner John B. King	Art Unit 2435	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 33-60 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 33-60 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. In view of the Appeal Brief filed on June 8, 2010, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

2. Claims 33-60 are pending in this application.

Response to Arguments

3. Applicant's arguments are accepted as overcoming the 35 U.S.C 101 and 35 U.S.C. 112 rejections of the previous Office Action. Applicant has stated on page 11 of the Appeal Brief that "the Appellant hereby affirms that a transitory propagating signal, is not included within the scope of claim 60", and, therefore, overcomes the previous rejections.

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4. Applicant's remaining arguments are considered moot based on the new grounds of rejection as set forth below.

Examiner Notes

5. Examiner cites particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that, in preparing responses, the applicant fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 33-60** as best understood are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (AAPA) in pages 1-4 and Figure 1 of the Instant Application in view of Nakahara et al. (US Pre-Grant Publication 2003/0018491) hereinafter referred to as Nakahara.

As per claim 33, 47, and 60, AAPA discloses A method and system of generating an Authorized Domain (AD) **(AAPA, page 3, teaches generating an authorized domain using a hybrid person and device method.)**, comprising: selecting a domain identifier uniquely identifying the Authorized Domain **(AAPA, page 3, teaches having a Domain Identifier that connects the device and the person authorized domain methods.)**; binding at least one user to the domain identifier **(AAPA, page 3, teaches grouping the uses together through a domain users certificate.)**; and binding at least one device to at least one user **(AAPA, page 3, teaches associating the devices using a domain devices certificate. These devices are bound to the users through the domain identifier, as shown in Figure 1.)**

However, AAPA does not specifically disclose having a list that associates users with devices.

Nakahara discloses obtaining or generating a Device Owner List comprising a unique identifier for a user and a unique identifier for each device belonging to the user, thereby defining that the at least one device is bound to the user, or in that the binding of at least one device to at least one user comprises obtaining or generating a Device Owner List for each device to be bound, the Device Owner List comprising a unique identifier for a user and a unique identifier for a device belonging to the user, thereby defining that the device is bound to the user, thereby obtaining a number of devices and a number of users that is authorized to access a content item of said Authorized Domain **(Nakahara, paragraphs 200-201, teaches the authorized devices being on the domain list. Nakahara, paragraphs 75-78, also teaches having group**

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information comprising user IDs and function unit IDs (of the devices) to determine what access rights the device/user has. Therefore, each user has a unique identifier (user ID) and the user created domain list (paragraph 201) binds the devices to that specific user.)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of AAPA by adding the teachings of Nakahara because this would allow multiple users to use the same devices and also have different usage restrictions based upon the user of the device. Granting different user's different access rights/privileges is generally known and desirable in the art. Adding the features of Nakahara would apply known techniques to known devices ready for improvement to yield predictable results **(Nakahara, paragraph 197, teaches that both a father and son can use the same device i.e. two users bound to same device, but the son will have different access rights to the content.)**

As per claims 34 and 48, AAPA in view of Nakahara discloses wherein each device may be bound to only a single user, or each device may be bound to several users, where one user is indicated as a primary user for that particular device **(Nakahara, paragraph 226, teaches having user IDs associated with the authorized devices. Therefore, one or more users may be associated with a particular device. Nakahara, paragraph 201, teaches a user generating his own domain list so that user would be the primary user for those devices.)**

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As per claims 35 and 49, AAPA in view of Nakahara discloses further comprising importing, on a given device, at least one content item into the Authorized Domain given by the domain identifier by automatically binding, by default, the at least one imported content item to the single user that the given device is bound to or to the user indicated as primary user for the given device, or binding the at least one imported content item to another user using additional information, when non-default binding is to be used **(Nakahara, paragraph 197, teaches importing content into the network that only particular users/devices can have access to.)**

As per claims 37 and 51, AAPA in view of Nakahara discloses further comprising using at least one of a user identification device as a personal Authorized Domain manager, a personal mobile device as a personal Authorized Domain manager, a mobile phone as a personal Authorized Domain manager, a PDA (personal digital assistant) as a personal Authorized Domain manager **(Nakahara, paragraph 297-298, teaches the user having an IC card containing the PIN to be used with the content usage device. This device will manage whether or not the user has access to content and, therefore, manage the authorized domain of the user. It would be obvious for this IC card to be in some device such as a PDA to allow the user to use the IC card in an easier fashion.)**

As per claims 38 and 52, AAPA in view of Nakahara discloses wherein the binding of at least one user to the domain identifier comprises obtaining or generating a

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Domain Users List comprising the domain identifier and a unique identifier for a user thereby defining that the user is bound to the Authorized Domain (**Nakahara, paragraphs 77 and 226, teaches having multiple user IDs associated with the authorized domain. Nakahara, paragraph 197, also teaches distinguishing between a father and son on the network and determining what rights the user has based on who the user is. Therefore, there must be a list of user's with their corresponding access rights.)**

As per claims 39 and 53, AAPA in view of Nakahara discloses wherein the binding of at least one content item to the Authorized Domain comprises binding a content item to a User Right, where said User Right is bound to a user bound to the Authorized Domain (**Nakahara, paragraph 297, teaches the user purchasing a license for the content. A license inherently grants the user the rights that he/she has paid for and that the copyright holder will allow. Paragraph 63 teaches different access rights for content.)**

As per claims 40 and 54, AAPA in view of Nakahara discloses wherein the User Right comprises rights data representing which rights exists in relation to the at least one content item bound to the User Right (**Nakahara, paragraph 297, teaches the user purchasing a license for the content. A license inherently grants the user the rights that he/she has paid for and that the copyright holder will allow. Paragraph 63 teaches different access rights for content.)**

As per claims 41 and 55, AAPA in view of Nakahara discloses further comprising controlling access, by a given device being operated by a given user, to a given content item comprising checking whether a user, the given content item is linked to, and a user, the given device is linked to, belongs to the same Authorized Domain, and allowing access for the given user and/or other users via the given device to the content item if so, and/or checking if the given content item is linked to a user belonging to the same Authorized Domain as the given user, and allowing access for the given user via the given device and/or other devices to the content item if so **(Nakahara, paragraphs 194-197, teaches only granting access to the content if the device is authorized and the user is granted access to the content through the usage restriction.)**

As per claims 42 and 56, AAPA in view of Nakahara discloses further comprising controlling access, by a given device being operated by a given user, to a given content item being bound to the Authorized Domain and having a unique content identifier, comprising checking if the Domain User List of the Authorized Domain comprises both a first user identifier, comprised in a Device Owner List comprising an identifier of the given device, and a second user identifier, linked to the given content item, thereby checking if the user bound to the given device is bound to the same Authorized Domain as the user bound to the content item, and allowing access to the given content item by the given device operated by any user and/or checking if the Domain User List of the Authorized Domain, that the content item is bound to, comprises a user identifier of the

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given user thereby checking if the given user is bound to the same Authorized Domain as the content item, and allowing access to the given content item by any device including the given device operated by the given user **(Nakahara, paragraphs 194-197, teaches granting or restricting access to content based on whether user and device authorization requirements are met. AAPA, Figure 1, teaches having the device/user certificates.)**

As per claims 43 and 57, AAPA in view of Nakahara discloses wherein the controlling of access of a given content item comprises checking that the User Right for the given content item specifies that the given user has the right to access the given content item and only allowing access to the given content item in the affirmative **(Nakahara, paragraph 63, teaches the license information containing information about the usage rights that the user has for the content. Nakahara, paragraphs 194-197, also teaches only granting access if the user has the appropriate access rights.)**

As per claims 44 and 58, AAPA in view of Nakahara discloses wherein every content item is encrypted and that a content right is bound to each content item and to a User Right, and that the content right of a given content item comprises a decryption key for decrypting the given content item **(Nakahara, paragraphs 48-50, teaches content encryption and decryption keys to decrypt the content items.)**

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As per claims 45 and 59, AAPA in view of Nakahara discloses wherein the Domain Users List is implemented as or included in a Domain Users Certificate, and/or the Device Owner List is implemented as or included in a Device Owner Certificate, and/or the User Right is implemented as or included in a User Right Certificate **(Nakahara, paragraphs 198, 249-251, and 258, teaches license authentication being included in certificates. AAPA, Figure 1, also teaches having certificates.)**

As per claim 46, AAPA in view of Nakahara discloses further comprising binding at least one content item to at least one user **(Nakahara, paragraphs 194-197, teaches usage restrictions for users. Certain content is only available to certain users. Therefore, the content is bound to the user.)**

As per claims 36 and 50, AAPA in view of Nakahara does not specifically teach limiting the number of users.

It would have been obvious to one of ordinary skill in the art at the time of the invention to provide an Authorized Domain size limitation, where the limitation relates to a maximum number of users. Nakahara, paragraph 197, teaches multiple users using the same device. Therefore, it would have been obvious to limit the size of the authorized domain by limiting the number of authorized users.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John B. King whose telephone number is (571) 270-7310. The examiner can normally be reached on Mon. - Fri. 7:30 AM - 4:00 PM est..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John B King/
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